

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 25-cv-21596-ALTMAN/LETT

THE DONALD J. TRUMP REVOCABLE
TRUST, *et al.*,

Plaintiffs,

v.

CAPITAL ONE, N.A.,

Defendant.

/

DEFENDANT'S REMOVAL STATUS REPORT

Pursuant to the Court's Order Requiring Removal Status Report and Joint Scheduling Report (ECF No. 8), Defendant Capital One, N.A. ("Capital One") submits this Removal Status Report and states as follows:

1. **Statement of the Nature of the Claim and Relief Sought:** On March 7, 2025, Plaintiffs The Donald J. Trump Revocable Trust, DJT Holdings, LLC, DJT Holdings Managing Member, LLC, DTTM Operations, LLC, and Eric Trump (collectively, "Plaintiffs") brought a five-count Complaint against Capital One in the Eleventh Judicial Circuit of Florida in and for Miami-Dade County, Case No. 2025-004022-CA-01. Count I of Plaintiffs' Complaint seeks declaratory judgment under Section 86.011, Florida Statutes, that "Capital One improperly terminated Plaintiffs' Accounts," "Plaintiffs are entitled to an award of costs," and "Plaintiffs are entitled to any other relief as this Court deems just and proper." ECF No. 1-1, Compl. ¶ 58. Count II alleges that Capital One violated North Carolina's Unfair and Deceptive Trade Practices Act, *see* N.C. Gen. Stat. § 75-1.1, through "unlawful and deceptive debanking practices" aimed at Plaintiffs and their affiliated entities, and seeks "all available damages under North Carolina law,

an award of attorneys' fees and costs, and any other relief this Court deems proper." Compl. ¶¶ 59–80. Count III alleges that Capital One violated Nebraska's Consumer Protection Act, *see* Neb. Rev. Stat. § 59-1602, through "unlawful and deceptive debanking practices" aimed at Plaintiffs and their affiliated entities, and seeks "all available damages under Nebraska law, an award of attorneys' fees and costs, and any other relief this Court deems proper." Compl. ¶¶ 81–100. Count IV alleges that Capital One violated New Jersey's Consumer Fraud Act, *see* N.J.S.A. § 56:8-2, through "unlawful and deceptive de-banking practices" aimed at Plaintiffs and their affiliated entities, and seeks "all available damages under New Jersey law, an award of attorneys' fees and costs, and any other relief this Court deems proper." Compl. ¶¶ 101–21. Count V of Plaintiffs' Complaint alleges that Capital One violated Minnesota's Consumer Fraud Act, *see* Minn. Stat. § 325F.69, subd. 8, through "unlawful and deceptive de-banking practices" aimed at Plaintiffs and their affiliated entities, and seeks "all available damages under Minnesota law, an award of attorneys' fees and costs, and any other relief this Court deems proper." Compl. ¶¶ 122–42. Plaintiffs represent that "the amount in controversy exceeds the sum or value of \$750,000.00, exclusive of interest, costs, and attorneys' fees." *Id.* ¶ 7.

2. Statement of Grounds for Removal and Listing of All Parties to the Action:

The grounds for removal of this action are based on a complete diversity of citizenship between the Plaintiffs and Capital One, and an amount in controversy exceeding \$75,000.00, exclusive of interests and costs. This Court therefore has jurisdiction of this matter pursuant to 28 U.S.C § 1332.

See ECF No. 1 at 22. The Parties to the action are as follows:

- a. The Donald J. Trump Revocable Trust (Plaintiff)
- b. DJT Holdings, LLC (Plaintiff)
- c. DJT Holdings Managing Member, LLC (Plaintiff)

- d. DTTM Operations, LLC (Plaintiff)
- e. Eric Trump (Plaintiff)
- f. Capital One, N.A. (Defendant)

3. **A List of All Pending Motions:** No motions are presently pending.

4. **Consent of Each Defendant to Removal:** Capital One is the sole Defendant in this action and filed the Notice of Removal on April 7, 2025.

5. **Statement Regarding Whether Action Was Removed Within 30 Days:** As stated in the Notice of Removal, Capital One removed this action within thirty (30) days after receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which this action is based. ECF No. 1 at 2. On March 7, 2025, Plaintiffs initiated the above-captioned action in the Eleventh Judicial Circuit of Florida in and for Miami-Dade County. *See Donald J. Trump Revocable Tr. et al. v. Capital One, N.A.*, No. 2025-004022-CA-01 (Fla. 11th Jud. Cir. Ct.). On March 7, 2025, Capital One became aware of the Complaint through public sources. Thirty days later, on April 7, 2025, Capital One removed this action from state court to the United States District Court for the Southern District of Florida, Miami Division.

6. Some of the information furnished above is also contained in Capital One's Notice of Removal. *See* ECF No. 1.

7. Capital One certifies that it has filed on the docket copies of all records and proceedings before the state court in this action. *See* ECF No. 1-1.

Dated: April 22, 2025

Respectfully submitted,

/s/ Gerald E. Greenberg

GERALD E. GREENBERG

Florida Bar No. 440094

ggreenberg@gsgpa.com

ADAM M. SCHACHTER

Florida Bar No. 647101

aschachter@gsgpa.com

SHANE GRANNUM

Florida Bar No. 1055050

sgrannum@gsgpa.com

GELBER SCHACHTER & GREENBERG, P.A.

One Southeast Third Avenue, Suite 2600

Miami, FL 33131

Telephone: (305) 728-0950

E-service: efilings@gsgpa.com

HELEN V. CANTWELL*

hcantwell@debevoise.com

SUSAN REAGAN GITTES*

srgittes@debevoise.com

ERICH O. GROSZ*

eogrosz@debevoise.com

DEBEVOISE & PLIMPTON LLP

66 Hudson Boulevard

New York, NY 10001

Telephone: (212) 909-6000

*Admitted *pro hac vice*

Counsel for Defendant Capital One, N.A.